

## Official Proceedings

November 5th, 2013  
8:00 am

Vice-Chairman Hoff called the meeting of the Stark County Board of Commissioners to order. All members present and Chairman Zander absent.

Vice-Chairman Hoff asked for any additions to the agenda. States Attorney Tom Henning added Overload Fee. Comm. Elkin moved to approve the agenda with the additions. Comm. Kuntz seconded. All voted Aye and the motion carried.

Comm. Wolf moved to approve the minutes from the October 1st, 2013 meeting with a zoning legal description change for Stu Stiles and Jim Hereford. Comm. Kuntz seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Kuntz moved to accept the accounts payable plus the supplement. Discussion was held regarding the Watch Guard Grant match bill for \$8,569.60 for the Sheriff's Department. The Commission directed it to be taken from the Sheriff's Department equipment line item. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

**General:** Payroll: \$186,585.09; NDPers: \$27,992.19; Best Western: \$1,045.80; Russ Hoff: \$935.64; NDACO: \$2,305.00; Patricia Garrity: \$4,447.35; Matthew Bender and Company: \$103.08; West Payment Center: \$655.38; Dakota Water Treatment: \$39.00; SBM Inc: \$1,551.18; ND County Recorders Assoc: \$100.00; Dakota Rubber Stamp: \$106.25; PFC Products Inc: \$275.95; Raco Industries: \$107.35; Spectra Association: \$103.95; Xerox Corporation: \$820.63; Comfort Inn: \$296.00; Maintenance Management: \$900.00; NW Iron Fireman: \$1,409.39; Consolidated: \$467.50; MDU: \$2,608.82; Roughrider Electric: \$152.00; Southwest Water Authority: \$44.05; A-1 Sprinklers: \$260.00; Action Cleaning: \$2,624.50; Braun Distributing: \$475.15; Dakota Farm Equipment: \$104.02; Jon's Home Comforts Inc: \$67.20; Nalco Company: \$260.20; Newby's Ace Hardware: \$107.07; Nitro-Green: \$289.00; Quality Xterminators: \$250.00; T-Rex Conoco Inc: \$17.78; City of Dickinson: \$12,311.94; Walmart: \$271.69; Maus & Nordsven: \$675.00; Sandness Law Office: \$82.50; Cenex Fleet: \$7,740.63; Farmers Union Oil of Bis/Man: \$1,752.84; Wex Bank: \$763.06; Farmers Union of Richardton: \$333.70; Office of the State Auditor: \$15,750.00; AT& T Mobility: \$1,504.11; Century Link: \$487.00; Thompson Publishing: \$536.99; Thompson Information: \$1,570.97; Tri-State Binders: \$739.00; Unlimited Office Supplies: \$1,985.51; Lady J's Catering: \$86.08; Ralph Weisenberger: \$103.92; Dickinson Parks & Rec: \$52.00; Stark County Auditor (Discovery Benefits): \$1,021.77; Applied Concepts: \$1,001.25; Sure Sign: \$30.00; T-Rex Conoco Inc: \$636.90; ND State Radio Corp: \$1,500.00; Expressway Inn: \$224.10; Souris Valley Suites: \$504.25; Quality Quick Print: \$95.00; Rudy's Lock & Key: \$4.00; Advanced Business Methods: \$570.66; Balco Uniforms: \$29.20; Millie's S & C: 5.00; Uniform Center: \$50.00; Dickinson Collision Center: \$475.89; Dickinson Tire: \$232.32; DJ's Tesoro: \$51.73; Just In Glass: \$80.00; ProTint: \$235.00; R & J Communications: \$2,680.97; Sax Motor Co: \$330.15; ND Dept of Transportation: \$23.00; Visa: \$429.41;

Chief Supply Corp: \$789.32; Dean Franchuk: \$6.00; L-Tron Corp: \$162.00; Ultramax: \$3,267.00; CopsPlus Inc: \$144.29; Electronic Communications: \$4,873.50; Total Safety US: \$31.52; Watch Guard: \$11,656.10; NDACO Resources: \$421.87; Dickinson Ambulance: \$62.53; LEC Maintenance: \$7,181.49; Stark County Auditor (Federal Deposit): \$549.15; Ramada Bismarck: \$69.30; Bill Fahlsing: \$144.75; APCO International: \$92.00; Dickinson Press: \$360.24;

**10 Mill:** Kadrmas, Lee & Jackson: \$22,197.35; Roughrider Electric: \$21,393.97; ND Dept of Transportation: \$14,762.50;

**County Road:** Kadrmas, Lee & Jackson: \$116,177.77; All-In-Service LLC: \$9,085.00; Baranko Bros Inc: \$3,031.00; Jurgens's Trucking LLC: \$11,902.50; Martin Construction: \$998,596.94; Northern Improvement Inc: \$204,581.53; Edward Schwartz Construction: \$23,986.00; North Central Rental & Leasing: \$5,235.00; Onsite Improvements: \$5,311.50; RDO Equipment Co: \$3,656.35; Diamond Truck Equipment: \$2,598.86; ND Surplus Properties: \$1,425.00; MGM Rural Sanitation: \$180.00; Quality Xterminators: \$60.00; AT& T Mobility: \$163.29; City of Belfield: \$22.50; City of Dickinson: \$172.46; Consolidated: \$45.61; MDU: \$526.92; Roughrider Electric: \$1,003.00; Southwest Water Authority: \$44.05; Century Link: \$56.26; Carquest Auto Parts: \$103.39; Newby's Ace Hardware: \$5.97; Runnings Supply: \$185.41; SBM Inc: \$16.49; Total Safety US: \$38.87; Alternative Wrecking: \$550.00; Dakota Filter Supply: \$711.33; J & J Operating: \$345.40; Just In Glass: \$330.96; Nelson International: \$3,491.56; NW Tire Inc: \$5,782.39; Performance Truck Center: \$1,776.91; Trucks of Bismarck: \$353.01; Wallwork Truck Center: \$1,560.12; Westlie Truck Center: \$3,342.12; Butler Machinery: \$1,335.83; Dakota Farm Equipment: \$208.97; George's Tire Shop: \$1,049.97; Wayne Baer: \$84.94; Southwest Grain: \$49,183.91; West Dakota Oil: \$3,790.33; Bierschbach Equipment: \$2,269.80; CR Auto Glass: \$20.00; Dickinson Supply: \$32.76; Hedahl's Headquarters: \$41.63; JP Steel & Supply: \$91.18; Kohler Communications: \$283.50; Mac's Inc: \$185.42; NSC Minerals: \$2,551.72; NW Tire Inc: \$650.00; Outback Lumber Supply: \$10.00; Prairie Auto Parts: \$160.88; Praxair: \$81.23; Pump Systems LLC: \$86.64; Quest Engineering: \$27.87; Road Equipment Parts: \$272.67; Rummel Auto Wrecking: \$89.73; Fisher Sand & Gravel: \$1,838.16; Laker Chemical: \$1,380.00; Best Western Ramkota: \$327.96; Dickinson Press: \$138.32; Federal Publishing: \$278.50; JobsHQ: \$234.30; Locators & Supply: \$696.66; Maintenance Management: \$360.00; Mulligan's Catering: \$239.78; NDACO: \$140.00; City of Richardton: \$54.90; Ty Newton Fencing: \$527.00;

**Highway Tax Distribution:** Payroll: \$115,273.78; NDPers: \$27,097.83; Global Safety Network: \$17.00;

**Social Welfare:** ND Dept of Transportation: \$11.50; ND Dept of Human Services: \$3,886.41; AT&T Mobility: \$44.52; NDPers: \$40,866.79; Payroll: \$156,212.53; Wrap Around Checks: \$555.80; Braun Distributing: \$222.00; City of Dickinson: \$197.28; Clean Sweep: \$654.94; Comfort Suites: \$592.00; Consolidated: \$711.33; Dickinson Press: \$167.00; DJ's Tesoro: \$111.74; Bertie Gustafson: \$600.00; Jefferson Partners: \$37.00; MDU: \$836.47; Diane Mortenson: \$122.94; NDACO: \$215.00; Newby's Ace

Hardware: \$30.62; Quality Xterminators: \$80.00; Record Keepers: \$50.00; SBM Inc: \$4,382.79; Visa: \$268.80; Walmart: \$21.28; Jeri Wiess: \$232.78; Alysha Zaske: \$10.00;

**County Poor:** ND Dept of Human Services: \$35,776.55;

**IT-Computer/Updates:** NDACO Resources: \$13,251.20; Consolidated: \$269.26; Archonix: \$1,210.00; Dell Marketing: \$238.80; Hewlett Packard: \$2,136.61; Information Technology Dept: \$709.45; Xerox Corporation: \$187.34; Vanguard Appraisals: \$7,725.00; Bullberry Systems: \$375.00;

**Capital Improvement:** PNC Equipment Finance: \$51,945.53;

**Fair Board:** Stark County Fair Board: \$2,366.65;

**County Jail:** SWMCCC: \$110,609.65;

**Insurance:** American Insurance Center: \$339.00;

**Comp Health Care:** NDPers: \$31,306.76; Blue Cross Blue Shield: \$375.00;

**VSO Fund:** Payroll: \$7,423.92; Jessica Clifton: \$105.00; Leslie Ross: \$444.00; Xerox Corporation: \$51.22;

**Social Security:** Stark County Auditor (Federal Deposit): \$33,515.95;

**Advertising:** Dickinson Press: \$537.04;

**County Agent:** Payroll: \$4,075.84; NDPers: \$441.33; Kurt Froelich: \$35.00; Samantha Roth: \$35.00; Consolidated: \$172.46; SBM Inc: \$142.94; Walmart: \$35.46; Xerox Corporation: \$116.96; Pitney Bowes: \$277.02;

**Weed Control:** Payroll: \$11,729.54; NDPers: \$2,547.68; SBM Inc: \$25.00; Crop Production: \$67.00; Prairie Auto Parts: \$53.99; Runnings Supply: \$225.61; Custom Design Inc: \$192.00; Stark County Auditor (Federal Deposit): \$219.35;

**9-1-1:** Payroll: \$4,397.53; NDPers: \$1,574.04; Stark County Auditor (Federal Deposit): \$310.55; City of Dickinson: \$10,806.25; ND Chapter of APCO: \$600.00; Visa: \$2,084.90; Century Link: \$1,615.60; Consolidated: \$609.00;

**Adult Education:** Ag Communication: \$105.00; Dickinson Press: \$167.00;

**Fingerprint Station:** Chief Supply Corp: \$378.86;

**Domestic Violence:** State Treasurer: \$630.00;

**Traf Safety Grant:** Payroll: \$840.24; Cenex Fleet Fueling: \$213.57;

**Oil Impact Grant:** Applied Concepts: \$3,003.75; Bullberry System: \$1,125.00; CopsPlus Inc: \$432.87; Electronic Communications: \$14,620.50; NDACO Resources: \$8,167.76; Newby's Ace Hardware: \$209.97; Total Safety US: \$94.58; Watch Guard: \$9,259.50; Payroll: \$6,843.96; Visa: \$340.40; Stark County Auditor (Federal Deposit): \$514.46; Dickinson Ambulance Service: \$187.61;

**NDBCI-Oil 3518:** Watch Guard: \$9,320.40;

**Cops Grant 2011:** Payroll: \$4,045.50; NDPers: \$1,004.12; Stark County Auditor (Federal Deposit): \$309.48;

**Misc. Grants:** Watch Guard: \$8,000.00;

**SW Victim Witness Program:** SBM Inc: \$425.28; NDPers: \$1,052.78; AT&T Mobility: \$83.67; Consolidated: \$39.76; Payroll: \$5,082.89; Stark County Auditor (Federal Deposit): \$372.51;

**DVRCC:** Domestic Violence: \$1,215.30;

**State Reimbursements:** Brian Eaton: \$25.00; Evan Kowalski: \$25.00; Alexander Wilson: \$25.00; Jayden Peters: \$25.00; Mike Legler: \$25.00

**Siren Contingency:** Denny's Electric: \$2,401.99; West Shore Service: \$13,744.50; Roughrider Electric: \$235.00;

**Other Reimbursements:** Best Western Plus: \$40.00; Dickinson Collision Center: \$1,283.30; Lady J's Catering: \$499.22; Ramada Bismarck: \$207.90; Consolidated: \$178.16; PNC Equipment Finance: \$19,488.77; Pharm Chem Inc: \$1,533.00; Office of Attorney General: \$2,810.00;

**Judgement Execution:** Nelson International: \$3,249.87; Stark County Sheriff's Dept: \$176.48;

**911 Equipment:** Consolidated: \$57.12;

Sheriff Clarence Tuhy gave his monthly report.

Sheriff Clarence Tuhy discussed the grant line item in the budget regarding it being over budget, so funds were taken from the vehicle line item, leaving no funds for a new van.

Sheriff Clarence Tuhy discussed two sergeant positions promoting from within for supervising and patrolling. States Attorney Tom Henning advised that the 2014 budget is adopted and would need to identify funds for promotions from other areas of his budget.

Captain Dean Franchuk reported there is a third round of grant funding to hire staff until April 2015 and possibly beyond, with a 90%/10% Sheriff's Department grant match. Commissioner Elkin moved to approve the submission of the grant for an additional deputy and to support the position beyond the April 2015 deadline. Commissioner Kuntz seconded. All voted Aye and the motion carried.

Captain Dean Franchuk discussed concerns regarding weight limits on Whiting Oil roads. Road Superintendent will outline the roads that load limit enforcement will be exempt.

Detective Chris Coates and Sergeant Gary Kuhn discussed concerns regarding the lack of Sergeant positions.

Al Heiser, Road Superintendent, gave an update on roads, and reported the road department is cutting weeds on paved highways for residents who did not cut them, the deadline for weed cutting was October 1<sup>st</sup>.

Tim Kelly, Kadrmas, Lee & Jackson, gave the engineers report and requested authorization to proceed with the bid opening for the December meeting.

Vice-Chairman Hoff opened the public hearing to hear objections regarding the minimum price determined at the October meeting on the following delinquent tax properties:

Tract in NE4 13-138-39 .84 acres, delinquent taxes \$99.28, minimum value \$1,000. Commissioner Elkin moved to except the minimum value. Commissioner Wolf seconded. Roll call vote. All voted Aye and the motion carried.

Lot 21 & 22 Block 19 OP Richardton, delinquent taxes \$255.59, minimum value \$4,100. Commissioner Elkin moved to except the minimum value. Commissioner Kuntz seconded. Roll call vote. All voted Aye and the motion carried.

Lot 16 Block 31 OP Belfield, delinquent taxes \$8,129.28, minimum value \$3,000. Commissioner Kuntz moved to except the minimum value. Commissioner Wolf seconded. Roll call vote. All voted Aye and the motion carried.

N45.6' Lot 2 Block E McDonough's Addition Dickinson, delinquent taxes \$12,019.60, minimum value \$214,000. Commissioner Wolf moved to except the minimum value. Commissioner Elkin seconded. Roll call vote. All voted Aye and the motion carried.

Forsgren Associates Inc. provided a background on their company and a scope of services which includes building department setup, plan checks, building inspection services, Chief building official, permit administration and other miscellaneous building department services. The fee schedule is 80% of the permit fees with 20% to Stark County. Tax Director Diane Brines reported permit fees are 3-4 months behind and this agreement would allow real-time and caught up with plan reviews. No decision was made. Further discussion will continue at the December meeting.

The City of Dickinson Real Estate purchase regarding the lift station was decided that this land is Park Board land and will appear on the November 19<sup>th</sup> Park Board meeting.

Peter Wilson, American Legion Post, requested approval to build a display case to be placed in the foyer of the Stark County Courthouse, in memory of Mathew Brew. States Attorney Tom Henning requested a conceptual drawing of the display case and be presented to the Commission.

Deputy Auditor Lynn Betlaf discussed the School Infrastructure Fund which comes from Oil and Gas monies. The following applications were received:

Richardton/Taylor School - \$30,000

Dickinson High School - \$81,432

South Heart School - \$50,000

Belfield School - \$34,542

The School Infrastructure Fund balance is \$397,635.16 with total requests equaling \$195,974.00 leaving a balance of \$201,661.16 if awards are made in full. Commissioner Wolf moved to approve the application requests with the balance going to the County Road Fund. Commissioner Elkin seconded. Roll call vote. All voted Aye and the motion carried.

No action was taken for the Richardton Zoning appointment. Commissioner Elkin reported he provided a list of names to the City of Richardton that are interested in the appointment.

Emergency Manager/911 Coordinator Bill Fahlsing requested out-of-state travel to Minneapolis from November 18<sup>th</sup>-20<sup>th</sup> for an Emergency Management Summit. Commission Kuntz moved to approve out-of-state travel for Bill Fahlsing. Commissioner Elkin seconded. All voted Aye and the motion carried.

Commissioner Elkin presented a recommendation from the Zoning Board to approve the request from Mitch Erdle. The request was for a final plat of Antelope Subdivision located in the NW4 of Section 17, Township 139, Range 91 containing approximately 97.6 acres. Commissioner Elkin moved to approve the Zoning Boards recommendation for a final plat of Antelope Subdivision with staff recommendations and consultation with the Stark County Road Superintendent Al Heiser. Commissioner Kuntz seconded. Roll call vote. All voted Aye and the motion carried.

Commissioner Elkin presented a recommendation from the Zoning Board to approve the request from Gerald and Sharon Messer. The request was for a zoning change from Agricultural to Agricultural Residential located in the W2 of Section 20, Township 140, Range 91 containing approximately 10 acres. Commissioner Elkin moved to approve the Zoning Boards recommendation for a zoning change from Agricultural to Agricultural Residential. Commissioner Wolf seconded. Roll call vote. All voted Aye and the motion carried.

Steve Josephson, County Planner, reported BJ and Lindsay Martin withdrew their zoning request.

Commissioner Elkin presented a recommendation from the Zoning Board to approve the request from Carlton LeBeff. The request was for a zoning change from Commercial and Industrial to Industrial with a Planned Unit Development Overlay District located in the NE4 of Section 10, Township 139, Range 97 containing approximately 102.57 acres. Shawn Soehrin, City of Dickinson requested landscaping be held due to winter. Steve Josephson, County Planner, reported the City of Dickinson can allow landscaping delays with a bond payment to the City of Dickinson and still issue a certificate of occupancy pending the landscaping. Paving can be done as the land is developed. Commissioner Elkin moved to approve the Zoning Boards recommendation for a zoning change from Commercial and Industrial to Industrial with a Planned Unit Development Overlay District. Commissioner Kuntz seconded. Roll call vote. All voted Aye and the motion carried.

Commissioner Elkin presented a recommendation from the Zoning Board to approve the request from Carlton LeBeff. The request was for a final plat of Thomas Petroleum Subdivision located in the NE4 of Section 10, Township 139, Range 97 containing approximately 102.57 acres. Commissioner Elkin moved to approve the zoning Boards recommendation for a final plat of Thomas Petroleum Subdivision. Commissioner Kuntz seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Wolf moved to authorize Chairman Zander to sign the ND Department of Transportation Resolution for Project BRO-0045(053). Comm. Elkin seconded. All voted Aye and the motion carried.

Comm. Elkin moved to authorize Chairman Zander to sign the ND Department of Transportation Resolution for Project SC-4510(065). Comm. Kuntz seconded. All voted Aye and the motion carried.

Comm. Elkin moved to authorize Chairman Zander to sign two ND Department of Transportation reimbursement requests for Project COIA-0045(054) PCN 20247 and Project COIA-4511(058) PCN 20246.

States Attorney Tom Henning reported Stark County issued overload fee on two trucks, which the company paid. The funds were deposited into the Stark County account. The State of ND Highway Patrol has issued a formal demand these funds be forwarded to them. At this time, the report is informational and no action was taken by the Commission.

The following **Miscellaneous Receipts** were filed: General: \$506,981.92; County Road: \$196,684.17; Highway Tax Distribution: \$267,405.43; Social Services: \$21,432.87; IT-Computer/Updates: \$141.60; Capital Improvement: \$193,959.04; County Park: \$5,240.54; Weed Control: \$3,172.16; 911 Revenue: \$26,248.46; Adult Education: \$22.43; Fingerprint Station: \$56.00; Domestic Violence: \$665.00; Traf Safety Grant: \$1,453.88; Oil Impact Grant: \$15,157.79; Cops Grant 2011: \$17,263.86; Misc Grants:

\$1,721.20; Estimate Tax: \$33,703.39; Game and Fish: \$58,958.00; SW Victim Witness Program: \$2,985.30; Domestic Violence & Rape Crisis Center: \$1,215.30; Preservation Fee: \$14,858.75; Other Reimbursements: \$43,206.46; Judgment Execution: \$3,426.35; 911 Equipment: \$4,632.16;

Comm. Kuntz moved to adjourn. Comm. Elkin seconded.

---

Lynn Betlaf, Deputy Auditor

---

Russ Hoff, Vice Chairman